

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2012-0102 Texas PTA Rezoning #2

**P. C. DATE:** 10/09/12

**ADDRESS:** 408 W. 11th St.

**AREA:** 0.0918 acres

**APPLICANT:** Texas Congress of  
Parents & Teachers (Kyle Ward)

**AGENT:** Garrett-Ihnen Civil Engineers, Inc.  
(Mike Wilson)

**NEIGHBORHOOD PLAN AREA:** Downtown

**CAPITOL VIEW:** Yes

**T.I.A.:** Waived – See the Transportation Reviewer's  
comments.

**HILL COUNTRY ROADWAY:** No

**WATERSHED:** Town Lake

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** DMU – Downtown Mixed Use.

**ZONING TO:** CBD - Central Business District.

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends DMU-CURE, Downtown Mixed Use, Central Urban Redevelopment District. The CURE Overlay will allow for a Floor-to-Area-Ratio (FAR) of six point five to one, (6.5:1), would prohibit the following use: Pawn Shop Services, make the following uses conditional uses: Bail Bond Services, Cocktail Lounge and Liquor Sales and will limit total vehicle trips to less than 2,000 per day.

### **PLANNING COMMISSION RECOMMENDATION:**

The motion to approve staff's recommendation for DMU-CURE combining district zoning, with the inclusion of the prohibited uses in the neighborhood's letter was approved by Commissioner Alfonso Hernandez's motion, Commissioner Stephen Oliver seconded the motion on a vote of 9-0.

### **DEPARTMENT COMMENTS:**

The subject tract is located in the Uptown/Capital District in the Downtown Austin Plan. The property is currently developed with a one story office building and associated parking lot. The applicant is proposing to construct a seven story office building with some retail/commercial on the ground floor and the Travis County District Attorney's office on the upper floors. The Travis County District Attorney's offices are currently in the Criminal Justice Center located across the street in space intended for the criminal courts. The proposed site is crucial to Travis County's building and office space needs as part of its downtown master plan for the next twenty five years and its proximity to the Criminal Justice Center. Travis County has determined that the criminal courts will need space in the Criminal Justice Center, which currently houses the assistant district attorney's office, very soon. Travis County has identified the Texas PTA tracts as a very strategic location for the county and has determined that the district attorney and the county attorney prosecutors should move to one building and that building should be as close to the Criminal Justice Center as possible. The county's downtown Central Campus master plan analysis shows that by 2035, the county will need more than double the amount of downtown office space that it has now. The rezoning request will allow for county courts and offices to expand downtown to keep pace with the county's increasing population. Note: Single family, multifamily and commercial uses on properties zoned CBD or DMU are required to meet a 1-star rating under Austin Energy's Green Building Program.

**BASIS FOR RECOMMENDATION:**

*1. The proposed zoning should be consistent with the goals and objectives of the City Council.*

Granting DMU-CURE, Downtown Mixed Use, Central Urban Redevelopment District zoning would be in keeping with the policy of the City Council to densify the Central Business District, especially with vertical development and also as identified in the Downtown Austin Plan.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	CS	Office
<b>NORTH</b>	GO	Parking lot
<b>SOUTH</b>	UNZ	Office
<b>EAST</b>	DMU	Office
<b>WEST</b>	CS	Office

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2008-0143	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-2008-0144	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-00-2208	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 6-1-1]	Approved CBD- CURE [Vote: 7-0]

**NEIGHBORHOOD ORGANIZATION:**

- Downtown Austin Neighborhood Coalition
- Pecan Street Owner's Association
- Downtown Austin Alliance
- Austin Warehouse District Association
- Old Pecan Street Association
- Sentral Plus East Austin Koalition
- Austin Neighborhood Council
- Downtown Austin Neighborhood Association
- Original Austin Neighborhood Assoc.

**SCHOOLS:**

Matthews Elementary School, O' Henry Middle School, Austin High School

**SITE PLAN:**

SP 1. This site is within the Capitol View Corridor (Mopac Bridge), and the maximum height allowed within the view corridor is strictly enforced. For any new development, an application for a Capitol View

Corridor Height Determination must be submitted to Intake and demonstrate compliance prior to site plan review. For more information, contact the Development Assistance Center at 974-6370.

SP 2. This tract is also located within the Criminal Justice Center Overlay District (§ 25-2-650), and the following uses: (1) bail bond services uses, cocktail lounge uses, or liquor sales uses that would otherwise be a permitted use as a conditional use; and (2) pawn shop services uses is prohibited.

SP 3. Any new development is subject to Subchapter E Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 4. FYI – Any new development must be compliance with Green Building standards. Contact the Green Building Program at 482-5300 for further information.

### **ENVIRONMENTAL:**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to floodplain maps there is a floodplain within the project area.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **TRANSPORTATION:**

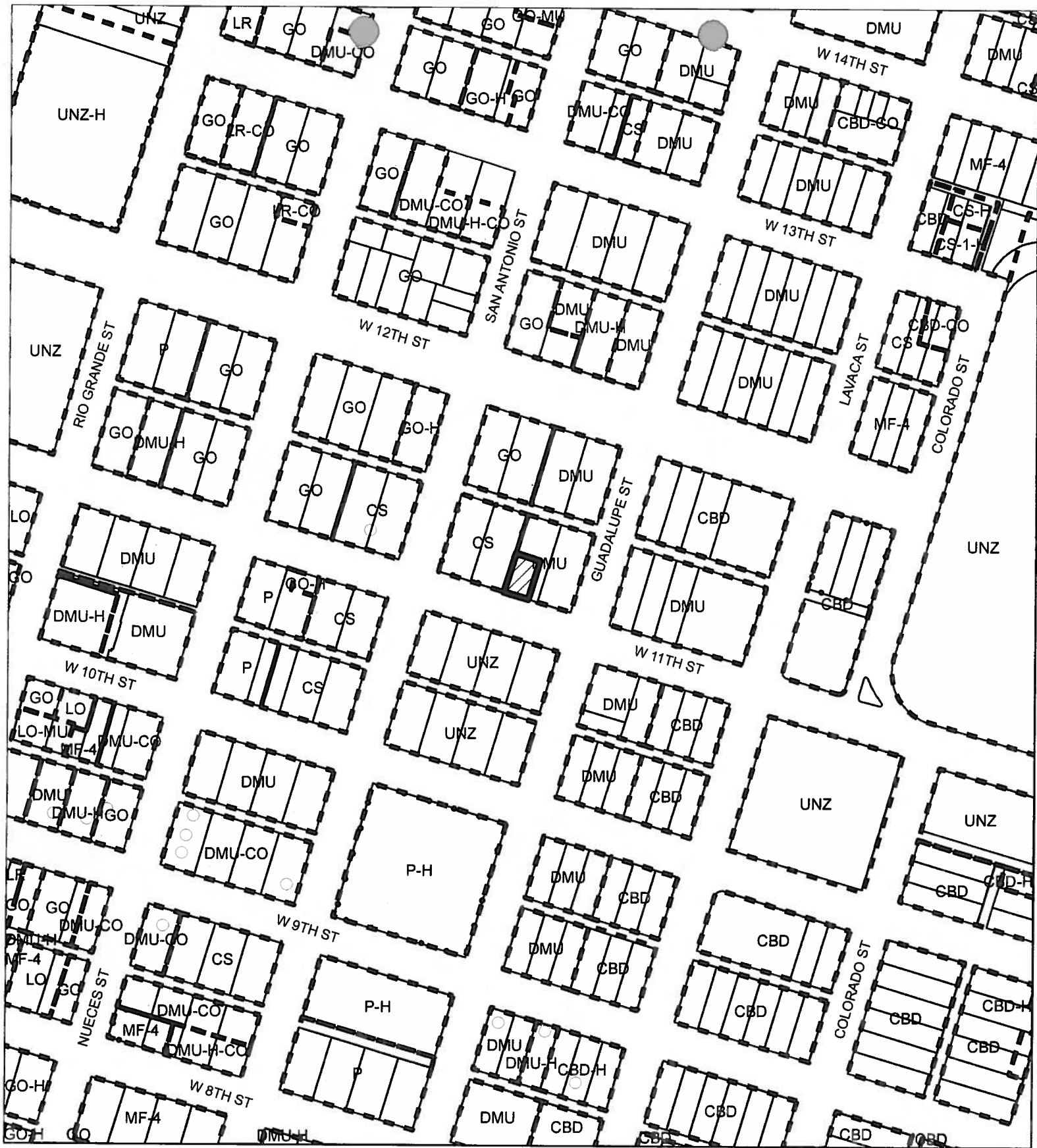
**TR1.** No additional right-of-way is needed at this time.

**TR2.** A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

**TR3. Existing Street Characteristics:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
San Antonio St	80'	28'	Collector	Yes	Yes	Yes
West 11 <sup>th</sup>	80'	40'	Collector	Yes	No	Yes

**CITY COUNCIL DATE:** November 1st, 2012**ACTION:****ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)**PHONE:** 974-7691






## ZONING

ZONING CASE#: C14-2012-0102



1" = 300'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.













**Important: Select the Viewpoint/Corridor Name (below) FIRST.**

Viewpoint/Corridor Name	Review Site	VP Elevation	Distance from Cap to Review Site Point	RS Elevation (approx.)	a 653 - VP Elev.	b Distance VP to Cap	$\tan \theta$ a/b	b' Distance VP to RS	a' $\tan \theta$ times b'	Max. Elev. VP Elev. + a'	b Max. Elev. - RS Elev. (approx.)
Mopac Bridge - 1	a	498	1615	540	155	10331	0.015	8716	130.74	628.74	88.74
Mopac Bridge - 1	b	498	1555	542	155	10331	0.015	8776	131.64	629.64	87.64
Mopac Bridge - 2		485	1430	543	168	9629	0.0174	8199	142.66	627.66	84.66
Mopac Bridge - 1		498	1500	538	155	10331	0.015	8831	132.47	630.47	92.47
Mopac Bridge - 1		498	1485	544	155	10331	0.015	8846	132.69	630.69	86.69





Google earth

feet 9  
meters 2







Google earth

feet 10  
meters 3







## SOUTH ELEVATION

TRAVIS COUNTY CRIMINAL COURT ADMINISTRATION BUILDING

DEVELOPMENT 2000

STUDIO 8 ARCHITECTS



10.08.2012



3-D VIEW

TRAVIS COUNTY CRIMINAL COURT ADMINISTRATION BUILDING

DEVELOPMENT-2000

STUDIO 8 ARCHITECTS



10.08.2012





**SAMUEL T. BISCOE**  
COUNTY JUDGE

TRAVIS COUNTY ADMINISTRATION BUILDING  
700 LAVACA ST., SUITE 2.700  
P.O. BOX 1748 AUSTIN, TEXAS 78767  
(512) 854-9555

September 14, 2012

City of Austin  
Downtown Commission

City of Austin  
Planning Commission

Jim Roberson City of Austin  
Planning and Development Review Dept.  
Urban Design Department and Service Mgr.  
505 Barton Springs Road, 8<sup>th</sup> Floor  
Austin, Texas 78704

RE: Texas PTA Application for Rezoning of 410 & 416 West 11<sup>th</sup> Street  
Case Number: C-14-2012-0103

Dear Commission Members and Mr. Roberson:

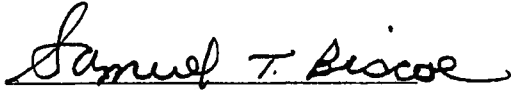
This letter is written to support the above referenced application and to specifically request that the Staff, Downtown Commission and the Planning Commission expedite this urgently needed zoning change.

On March 20, 2012, the Travis County Commissioners Court voted to purchase this strategically located property for the purpose of constructing an office building for the offices of the District and County Attorneys, and possibly other criminal justice departments and programs.

On May 10, 2010, Travis County signed the contract to purchase this property, and we need desperately to have this zoning change in order to complete this purchase. The timely delivery of this request will allow us to immediately begin our final construction plans.

Thank you in advance for your support and assistance. My staff and I are available to answer any questions you may have. Please feel free to contact me or Roger El Khoury, Director of Facilities Management for Travis County at 854-4579.

Sincerely,

A handwritten signature in cursive script that reads "Samuel T. Biscoe". The signature is written in dark ink and is positioned above the printed name and title.

Samuel T. Biscoe  
Travis County Judge

cc: Marc Ott, City Manager, City of Austin  
Lee Leffingwell, Mayor, City of Austin





**Post Office Box 1282  
Austin, TX 78767  
[www.originalaustin.com](http://www.originalaustin.com)**

**October 9, 2012**

Clark Patterson, Case Manager & Planner  
Planning & Development Review Department  
P. O. Box 1088  
Austin, Texas 78767

Re: C14-2012-0102: 408 West 11<sup>th</sup> Street

Dear Mr. Patterson,

The Board of Directors (BoD) of the Original Austin Neighborhood Association (OANA) at its regularly scheduled monthly meeting on September 6, 2012, and upon notice to interested parties, discussed the Proposed Zoning Change from DMU to CBD at 408 West 11<sup>th</sup> Street.

The OANA BoD believes that CDB zoning, while appropriate in many parts of downtown Austin, is inconsistent and not compatible with the recommendations for land use within the Northwest District of the Downtown Austin Plan. And, generally, we do not support it being applied north of West 7<sup>th</sup> Street, within the OANA boundaries ([www.originalaustin.org](http://www.originalaustin.org)), which are from Lady Bird Lake to West 15<sup>th</sup> Street; and from Guadalupe Street to Lamar Boulevard.

In addition, the OANA BoD bases our opposition to CBD zoning for this property on the following:

- The Downtown Austin Plan anticipates the zoning on this property to remain DMU;
- There is no CBD zoning contiguous to this property or this far west into the Original Austin Neighborhood;
- Approving this request would set a bad and, we believe, illegal precedent of changing the zoning on property without a CBD zoned property adjacent to it, to CBD; and,
- The applicant's proposed uses do not require this intense of a zoning district and as such, this requested change to CBD zoning amounts to a speculative seeking of increased entitlements.

However, after discussions with you, other city staff and the applicant, the OANA BoD, supports the proposed uses and intentions of the applicant. The Texas PTA has been a good neighbor for almost a century, and we expect them to continue to be a good neighbor. And, the proposal to construct a building for use by the County Attorney is also supported by OANA. **Therefore, in consultation with the applicant, the OANA BoD conditionally supports DMU-CURE zoning on the subject property, provided that the applicant agrees to a Condition Overlay enforced by the City of Austin to be attached the DMU-CURE zoning entitlement.**

OANA support adding CURE to the DMU zoning entitlement to allow the applicant to increase its Floor to Area ratio from the DMU limit of 5.0 to the FAR requested of 6.15.

OANA also supports the imposition of a Conditional Overlay that would permit and limit the development on property in the following ways:

- The height of any building shall be limited by the City's Capitol View Corridor restrictions;
- The following uses permitted under DMU shall not be permitted on this property: 1) any use that would require an outdoor music permit; 2) pawn shop services; 3) automotive services; 4) bail bond services; 5) any other prohibited use enumerated by the Criminal Justice Center special use district; and, 6) other uses that the applicant and OANA mutually agree to expressly prohibit;
- The Conditional Overlay shall require Great Streets treatment of the property's frontage on West 11<sup>th</sup> and San Antonio Streets; and,
- Consistent with the City of Austin Downtown Design Guidelines, any structured parking garage on the property shall have pedestrian oriented uses and activities along any West 11<sup>th</sup> Street and/or San Antonio Street frontages.

The OANA Board stands willing to work with the applicant of this zoning change request, but believes that the applicant's goals can be met under DMU-CURE-CO. I and possible other members of the OANA board will be in attendance at the planning commission hearing tonight to answer questions.

Thank you in help in this case, and please contact me if you have any questions.

Sincerely,



Ted Siff, President

**Board of Directors**

**Ted Siff, President**

**Albert Stowell, Treasurer**

**Blake Tollett, Secretary**

**Ray Canfield**

**Rick Hardin**

**Paul Isham**

**Perry Lorenz**

**John Horton**

**Bill Schnell**





## **DOWNTOWN COMMISSION MINUTES**

**REGULAR MEETING  
WEDNESDAY, SEPTEMBER 19, 2012**

The Downtown Commission convened in a meeting on Wednesday, September 19, 2012, at 301 W. 2<sup>nd</sup> St. in Austin, Texas.

Chair Mandy Dealey called the meeting to order at 5:43 p.m.

### **Downtown Commission Members in Attendance:**

Mandy Dealey (Chair), Bryan Cady, Tina Fernandez, Jude Galligan, Dan Leary, Rich MacKinnon, Joel Sher, Heather Way, Bart Whatley, Bruce Willenzik

### **City Staff in Attendance:**

Michael Knox and Fred Evins, EGRSO; Leon Barba and Dan McNabb, DPRD

- 1. CALL TO ORDER & INTRODUCTIONS**
- 2. CITIZEN COMMUNICATION: GENERAL**

There were no citizens speaking under general communications.
- 3. APPROVAL OF MINUTES OF THE JULY 18 MEETING**

The minutes from the July 18 meeting were approved on a 9-0 vote on Commission member Galligan's motion and Commission Cady's second, with Commission member Way off the dais.
- 4. CASTLEMAN-BULL HOUSE RESTORATION**

The Commission received a briefing on the restoration of the Castleman-Bull House. No action was taken.
- 5. TEXAS PTA REZONING OF 408 WEST ELEVENTH STREET (C14-2012-0102 FROM DMU TO CBD); AND TEXAS PTA REZONING OF 410 AND 416 WEST ELEVENTH STREET (C14-2012-0103 FROM CS TO CBD)**

The Commission received briefings from Jerry Reed (Development 2000), Mike Wilson (Garrett-Ihnen Civil Engineers) and Kyle Ward (Texas PTA).

After a discussion, a motion to recommend CBD zoning for C14-2012-0103 (410 and 416 W. 11<sup>th</sup>), with the height limited to that permitted by the Capitol View Corridors, was approved with a friendly amendment on Chair Dealey's motion, Commission Member Galligan's second, on a 9-0 vote, with Commission member Cady off the dais. The friendly amendment from Commission Member Way is to require compliance with Great Streets. This was accepted by the maker of the motion and Board Member Galligan, who seconded the motion.

The Commission made no recommendation on C14-2012-0102 (408 West. 11<sup>th</sup>).

**Patterson, Clark**

---

**From:** Blake Tollett <~~Blake.Tollett@cityofaustin.net~~>  
**Sent:** Wednesday, October 03, 2012 2:29 PM  
**To:** Patterson, Clark  
**Subject:** C14-2012-0102/0103

Clark Patterson, Case Manager  
Planning & Development Review Department City of Austin

As the property owner of 1202 San Antonio Street and 601-603 West 12th Street, I am in opposition to the above referenced rezoning requests at 408 and 416 West 11th Street. The requested CBD zoning district is inappropriate for these properties and will represent a spot zoning as it is not contiguous to other properties zoned CBD and is not in conformance with the Downtown Austin Plan. I feel this is an unnecessary prospective entitlement.

Blake Tollett  
3701 Bonnie Road 78703  
512-477-4028